

# Senate File 136

SENATE FILE \_\_\_\_\_  
BY RAGAN and BOLKCOM

(COMPANION TO HF 97 BY GASKILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act requiring the use of headlights on a motor vehicle during  
2 any period of moisture accumulation and making a penalty  
3 applicable.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1742XS 83  
6 dea/nh/8

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1 1 Section 1. Section 321.384, Code 2009, is amended to read  
1 2 as follows:  
1 3 321.384 WHEN LIGHTED LAMPS REQUIRED.  
1 4 1. ~~Every~~ A motor vehicle ~~upon operated on~~ operated on a highway ~~within~~  
~~1 5 the state, at any time from shall display lighted headlamps as~~  
~~1 6 provided in section 321.415 during the following times,~~  
~~1 7 subject to exceptions under this chapter with respect to~~  
~~1 8 parked vehicles:~~  
1 9 a. From sunset to sunrise, and at such other times when,  
1 10 b. Whenever conditions such as fog, snow, sleet, or rain  
1 11 provide insufficient lighting to render clearly discernible  
1 12 persons and vehicles on the highway at a distance of five  
1 13 hundred feet ahead, ~~shall display lighted headlamps as~~  
~~1 14 provided in section 321.415, subject to exceptions with~~  
~~1 15 respect to parked vehicles as hereinafter stated.~~  
1 16 c. Whenever there is moisture accumulating on the  
~~1 17 windshield due to misting, light rain, or other weather~~  
~~1 18 conditions.~~  
1 19 2. ~~Whenever~~ A requirement ~~is hereinafter declared as to in~~  
~~1 20 this chapter regarding~~ the distance from which certain lamps  
1 21 and devices shall render objects visible or within which such  
1 22 lamps or devices shall be visible, ~~said provisions shall apply~~  
1 23 during the times stated in subsection 1 ~~of this section,~~  
~~1 24 paragraphs "a" and "b",~~ upon a straight level unlighted  
1 25 highway under normal atmospheric conditions unless a different  
1 26 time or condition is expressly stated.

### EXPLANATION

1 28 This bill amends Code section 321.384 to require the  
1 29 operator of a motor vehicle to display lighted headlamps on  
1 30 the vehicle whenever there is moisture accumulating on the  
1 31 windshield due to misting, light rain, or other weather  
1 32 conditions. Currently, the use of headlamps is required from  
1 33 sunset to sunrise and at all other times when conditions such  
1 34 as fog, snow, sleet, or rain provide insufficient lighting to  
1 35 clearly see 500 feet ahead. A violation is a simple  
2 1 misdemeanor, punishable by a scheduled fine of \$20.  
2 2 The following Code sections contain provisions which are  
2 3 linked to the times when headlamps are required under Code  
2 4 section 321.384 and are therefore affected indirectly by the  
2 5 bill:  
2 6 Code section 321.392, which requires the use of certain  
2 7 lighting devices and reflectors on motor trucks and trailers.  
2 8 Code section 321.394, which requires a red light to be  
2 9 displayed on projecting loads.  
2 10 Code section 321.395, which requires lighting on vehicles  
2 11 stopped on an unlighted roadway or shoulder.  
2 12 Code sections 321.397, 321.398, and 321.418, which describe  
2 13 lighting requirements for bicycles, animal drawn vehicles, and  
2 14 slow-moving vehicles.  
2 15 Code section 321.405, which requires self-illumination of

2 16 mechanical signal devices.  
2 17 Code sections 321.415 and 321.419, which provide  
2 18 specifications for headlamps.  
2 19 LSB 1742XS 83  
2 20 dea/nh/8.1